

## Exhibit 6

### 30(b)(6) Deposition of Sweet Home Improvements, Inc.

Deponent: Myung Koo

(Excerpts)



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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

- - - - -x  
ROBERTO CLAROS, :  
et al., :  
Plaintiffs, :  
v. : Civil Action No.  
SWEET HOME : 1:16-cv-344-AJT-MSN  
IMPROVEMENTS, Inc., :  
et al., :  
Defendants. :

- - - - -x

Deposition of MYUNG KWAN KOO, Corporate Designee  
Falls Church, Virginia  
Tuesday, August 16, 2016  
10:25 a.m.

Job No.: 117898  
Pages: 1 - 248  
Reported By: Roanna L. Ossege



Deposition of Corporate Designee, Myung Kwan Koo  
Conducted on August 16, 2016

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1 Deposition of MYUNG KWAN KOO, held at the  
2 offices of:

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LEGAL AID JUSTICE CENTER

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6066 Leesburg Pike, Suite 520

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Falls Church, Virginia 22041

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703.720.5607

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Pursuant to notice, before Roanna L. Ossege,  
Notary Public in and for the Commonwealth of  
Virginia.

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Deposition of Corporate Designee, Myung Kwan Koo  
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A P P E A R A N C E S

ON BEHALF OF PLAINTIFFS CLAROS, ET AL:

NICHOLAS MARRITZ, ESQUIRE

SIMON SANDOVAL-MOSHENBERG, ESQUIRE

LEGAL AID JUSTICE CENTER

6066 Leesburg Pike, Suite 520

Falls Church, Virginia 220141

703.778.3454

ON BEHALF OF DEFENDANTS SWEET HOME, ET AL:

JASON J. HUH ESQUIRE

LAW OFFICE OF JASON J. HUH, PLLC

4101 Chain Bridge Road, Suite 214

Fairfax, Virginia 22030

703.218.5404

ALSO PRESENT:

Becky Wolozin, Esquire

Hanjoo Pinkston, Interpreter

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P R O C E E D I N G S

(Interpreter was sworn.)

WHEREUPON,

MYUNG KWAN KOO

called as a witness, and having been first duly  
sworn, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR PLAINTIFFS

BY MR. MARRITZ:

Q Good morning, Mr. Koo. We're on the record.  
The time is 10:25 a.m., and we are at the offices of  
the Legal Aid Justice Center.

THE INTERPRETER: Okay. He said that he  
understood 80 or 90 percent of English, so every  
time he doesn't understand, maybe he can just eye  
contact me. Is that okay with you guys?

MR. MARRITZ: I think for the sake of having  
a good, clean record, we should have the proceedings  
take place either with interpretation of everything  
or nothing. I think that having it on a  
case-by-case basis is just going to confuse both the  
witness, the court reporter, you, me and everyone in  
the room.



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1       difficult. I have the same issue.

2               So, just so it's clear: Mr. Koo, do you  
3 negotiate and sign contracts with homeowners --

4       A Yes, I do.

5       Q -- and other property owners? Okay.

6               Are you responsible for hiring and firing  
7 workers?

8       A I do.

9       Q And subcontractors?

10      A Yes.

11      Q Does anyone else have hiring and firing  
12 power at Sweet Home.

13      A Just this guy, Myung Koo, M-Y-U-N-G K-O-O.  
14 Crazy Koo.

15      Q Very good. Who sets -- do you set the hours  
16 for the workers who work for your company?

17      A Yeah, I do.

18      Q Okay. Do you set the workers' pay rates?

19      A I do.

20      Q Do you decide whether the workers will  
21 receive cash or check for their construction work?

22      A Yeah, I do.



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1 Q Okay. Do you supervise the construction  
2 workers?

3 A I do.

4 Q Do you supervise their helpers?

5 A Yes, I do.

6 Q Do you authorize payments for building  
7 materials that the workers -- the construction  
8 workers need?

9 A Yes, I do.

10 Q Did you supervise the six workers who are  
11 bringing this case?

12 A Yeah, I -- I supervise. This case is, you  
13 know, a subcontract for Jose, not this guy. So if I  
14 subcontract -- and I cannot involve this Roberto.  
15 This why it's a very crazy situation. Roberto is  
16 not -- not involved. That's why this one is very  
17 strange case. Jose have to -- against me, that's  
18 it. But Roberto is the main subcontractor with the  
19 -- against me, Sweet Home Improvements? This why  
20 it's a very -- very strange case. And why I have to  
21 involve this waste of time here?

22 Jose -- only Jose can, you know, against me,



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1 Q Mr. Koo, I had asked you, did you supervise  
2 Jose Claros' work?

3 A Yes, I does.

4 Q Did you supervise Robert Claros' work?

5 A Roberto?

6 Q Yes.

7 A I don't -- just -- I can't -- if I go there,  
8 job site and then I can supervise Jose. And then I  
9 explain to him, he's low skill and please teach him.  
10 Just, I can tell Jose to do something.

11 Q Okay. Did you supervise Mario Herrera  
12 Macurán?

13 A Mario?

14 Q Mario, yes. When I say Mario Herrera, do  
15 you know who that is?

16 A Mario is -- sorry about that. Many same  
17 name is -- you know, for all the person who is  
18 there. Jose -- ten or 15 Jose -- different Jose.  
19 "I'm Jose." And so, Mario, Mario, Mario, Mario. So  
20 Korean people cannot recognize that that person is  
21 this person, is this, this, or this one-day person  
22 or one-hour person -- sorry about that. This is my



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1 Q Did you supervise him?

2 A Yes, I does.

3 Q Okay. Did you supervise Osbaldo Lopez?

4 A Yes, I does.

5 Q Did you supervise Hector Antonio Andrade?

6 A I does. I do.

7 Q Mr. Koo, do you sign worker's paychecks as  
8 part of your job?

9 A Yes, I -- I do.

10 Q Does anyone else in the company have  
11 paycheck signing authority?

12 A Right now, just only me.

13 Q Okay. Before, did someone else have  
14 paycheck signing authority?

15 A Before, my wife does. She does. But right  
16 now, only -- only me.

17 Q When did that change happen?

18 A One year or -- I don't know.

19 Q About a year ago. Okay.

20 Do you have other duties or responsibilities  
21 as the president of Sweet Home?

22 A Everything. Material supplier and clean up



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1 match and they don't have a problem in beginning of  
2 time and finish time, and, you know, very smooth --  
3 smooth, we can finish very smooth, and I can collect  
4 money.

5 But customer -- customer does very gently,  
6 you know, bring coffee or something. And -- yeah.  
7 And then if doesn't show up on time, if mess up  
8 something, if my worker -- my guy -- crew, you know,  
9 first, they break some -- some shower glass, and  
10 there are a lot of things involved within, you know,  
11 the case, customer very mad. And then --

12 Q Who does the customer call if a worker is  
13 showing up late or if the worker makes a mistake?

14 A All customer -- all customer, if they feel  
15 not feel comfortable, they can text me and -- this  
16 guy is very -- I cannot -- don't use this -- this  
17 guy, and stop this worker.

18 Q Oh, so, if a worker was causing a problem  
19 you will say, I will take --

20 A Yeah, I -- I would say, I will take off from  
21 job site. And they would say, please don't bring  
22 that worker.



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1 Q I understand, Mr. Koo. Were those all of  
2 the acts of misconduct from Jose and Roberto --  
3 well, for Jose Claros?

4 A Yes.

5 Q Thank you. How often did you communicate  
6 with Jose Claros during the time that he worked for  
7 you?

8 A Many times. Many times.

9 Q Okay. Did you talk with him every day?

10 A Yeah, every day.

11 Q Multiple times a day?

12 A Yeah, every day. Every day.

13 Q Did you talk with him by phone?

14 A Phone and text message and come on in my  
15 show room office.

16 Q So in person?

17 A Yeah. I called him.

18 Q Okay. And would you tell him when you  
19 needed him to be at a particular project -- at a  
20 particular job site? Would you say, Jose I need you  
21 to be at the deck project today?

22 A Depends on job progress, you know. And I



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1 decided in -- what's going on this job. And the  
2 other job, you may have to finish. This one is more  
3 important right now and -- you know?

4 Q So in your supervision of --

5 A Yes, yes, yes.

6 Q -- the job project --

7 A Yes.

8 Q -- you would tell Jose --

9 A Yes.

10 Q -- where he was needed on a particular day?

11 A Yes, yes.

12 Q Thank you. And would you check with him to  
13 see if he needed materials or supplies?

14 A Yes.

15 Q Okay. Would you check on the progress of  
16 the work that he was doing?

17 A Yes, I does -- I did.

18 Q And would you tell him where you needed him  
19 to go from one day to the next?

20 A Yes.

21 Q Okay. What else did you communicate with  
22 him about every day?



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1       Why? They mess up the job and I can hold money.  
2       They can have -- they cannot have all money once a  
3       week. So that's why I -- I want to help them -- you  
4       know, some -- your group. So, you know, how -- how  
5       much work you did? And tell me. I can -- I can  
6       provide some money.

7           Q And you would make those progress payments  
8       to Jose and Roberto based on the hourly sheets that  
9       they would submit to you; is that correct?

10       A Yes.

11       Q Thank you. Mr. Koo, how long would you  
12       maintain those -- those hourly time sheets for, when  
13       Jose would submit them to you?

14       A I think I told you two -- two, three years.

15       Q So I take it then that you still have all of  
16       their time sheets from all of last year?

17       A I have to see. It's different. Normally, I  
18       told you we have a lot of these time sheet problems.  
19       But, you know, that's why 1099. I give them -- you  
20       know, this is subcontract. So this amount is  
21       subcontract amount. Subcontract. You know, if that  
22       amount is -- I can figure out that amount of \$5,000



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1 Q Did Roberto -- strike that.

2 Did Roberto work on the three projects that  
3 you described, the deck project and the two sun room  
4 projects?

5 A Most of the time he worked -- sometimes he  
6 brought his son so --

7 Q Was this Roberto's son or Jose's son?

8 A Jose's son.

9 Q Okay. I'm asking about Roberto now. Did  
10 Roberto work on the same three projects as his  
11 brother?

12 A Most of the time he did -- they did. But  
13 yeah, sometimes Jose decided don't bring. So ten  
14 days -- or when I go there he doesn't work there  
15 so --

16 Q And did you go to these job sites every day?

17 A Yeah, every day.

18 Q Okay. I understand that Roberto wasn't  
19 always there. I'm just trying to get a complete  
20 list of all of the projects that Roberto worked on,  
21 even if he didn't work there at the same time as  
22 Jose every single time.



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1 Q Let's say that you did not like the way that  
2 a helper was working, could you tell a worker, do  
3 not use that helper. I do not want him on my  
4 customer's property?

5 A If -- if he is my own worker or not,  
6 subcontractor -- I have a right -- because if entire  
7 manner is not good and the house customer complains,  
8 second guy, that guy not good, I have to talk to the  
9 leader -- crew leader and subcontractor, and you  
10 should be -- change that person, you know? Or I  
11 have to talk to him. You know, if not, then my job  
12 a mess up, mess up, mess up. That's not good  
13 situation, so yeah.

14 Q Sounds good. Did Roberto submit time sheets  
15 for both him -- did Jose submit time sheets for both  
16 himself and his brother?

17 A Yes. Like this. This is one. Jose -- only  
18 Jose reported to me like this.

19 Q So Roberto did not report his own hours to  
20 you?

21 A No. If you see before me, you know, cell  
22 phone, you cannot see Roberto and me communication.



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1 He cannot speak English as well. So just only Jose.

2 Q I understand.

3 A Yeah.

4 Q So you said you communicated with Jose every  
5 day during the time he worked for you.

6 A Yeah.

7 Q Did you communicate with Roberto during the  
8 -- how often did you communicate with Roberto during  
9 the time he worked for you?

10 A Roberto is not my conversation guy, you  
11 know.

12 Q Did you ever speak to him?

13 A No. Just to -- you know, I have to talk to  
14 Jose and Jose can, you know, communicate with him.

15 Q I understand.

16 A That's why I cannot understand his ways, you  
17 know. Stop working -- Jose. After that still he  
18 add some -- his labor was something. That's why  
19 this crazy. He doesn't have any knowledge. He  
20 doesn't have any, you know, tool. So how he can --  
21 he can request -- after he leave, Jose -- Jose, crew  
22 leader, subcontractor left. Gone. That time, how



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1 talking about.

2 Q My question is how much --

3 A -- two weeks, he doesn't get the money.

4 Q My question is, when you hired Hector, how  
5 much did you tell him that you were going to pay  
6 him?

7 (Discussion between interpreter and  
8 witness.)

9 THE WITNESS: \$25 or -- \$25 an hour?

10 Q Okay. And let's see. Did Hector work with  
11 any helpers?

12 A No.

13 Q Did you observe or supervise Hector's work?

14 A Yes.

15 Q Did you go to that job site?

16 A Yes.

17 Q How often did you go?

18 A That's very far away. Just two times per  
19 day -- a day.

20 Q Two times per day you would go there?

21 A Yeah, uh-huh.

22 Q What did you do when you got to the job



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1 days and days?

2 A Two or three years. I don't know.

3 Q Two or three years. Okay. So obviously --  
4 did she have her phone during all of last year, for  
5 example?

6 A Yes, but very limited -- all information  
7 is -- I kept this phone -- my phone -- was my phone.  
8 But some of the pictures -- very big issue, big  
9 problem. I cannot have \$18,000 -- this kind of  
10 issue. Sometimes I ask her, keep this picture.  
11 That time, you know --

12 Q So that was your back-up system for  
13 important information --

14 A Yes.

15 Q -- you would just text it to your wife's  
16 phone?

17 A Yes, that's true.

18 Q Thank you. Let's see. And, Mr. Koo, would  
19 Hector report his hours of work to you?

20 A Yes.

21 Q Okay. How did he report his hours to you?

22 A Mostly text message.



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1 Q How often would he send you his hours?

2 A Per week.

3 Q And you paid him based on the hours he  
4 submitted?

5 A Yeah. At the time, you know -- for him,  
6 yeah.

7 Q Okay. And let's see. What was the last day  
8 that Hector worked for you?

9 A Like, the -- June. Around end of June.  
10 Middle of June. I'm -- I'm not sure. That case,  
11 final inspection failed at that time. The time  
12 period before -- before one week or two weeks, he --  
13 I cannot see him. I cannot contact with him. And  
14 disappear and took his tools everything so --

15 Q Okay. Hector says that around May -- that  
16 his paycheck for the week of May 4th to May 10th  
17 bounced, and that that check was --

18 A May 4th?

19 Q From May 4th to May 10th. He says that his  
20 paycheck for that week for 51 hours bounced. Is  
21 that true?

22 A I think that time we ask him and -- keep



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1 MR. HUH: If the fines are paid and  
2 everything else, yes.

3 Q Mr. Koo, you had told us that some of the --  
4 well, here -- is it true that you kept carbon  
5 copies of some of the paychecks that you used that  
6 were -- that's a terrible question.

7 My understanding is that you paid some of  
8 the workers in this case through company checks; is  
9 that correct?

10 A Yes.

11 Q And my understanding is that you gave --  
12 that you kept carbon copies of some of those  
13 paychecks; is that correct?

14 A I think -- I think so. I think so.

15 Q You provided --

16 A We -- we understood all you want to do bank  
17 or prove the check copy, so we couldn't try that,  
18 you know, paycheck copy or something, you know?

19 Q Are there any carbon copy -- you gave us  
20 some carbon copy checks in discovery?

21 A Uh-huh.

22 Q Are there any carbon copy checks that you



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1 have that you have not given us?

2 MR. HUH: That's related to this case?

3 MR. MARRITZ: Yes, that are related to this  
4 case.

5 THE WITNESS: I think that's all. But we  
6 have more, I think.

7 Q More that are related to this case?

8 A I have to see first, you know. We try to --  
9 you know, this involve the check copy, but I have to  
10 see more, you know.

11 Q So you didn't search everywhere in your  
12 officer when you were looking for these copies; is  
13 that correct?

14 A My wife was -- was searching everything, but  
15 I didn't search, so I have to check one more time.

16 Q Okay. Is that related just to these check  
17 copies, or for the entire case? Was your wife the  
18 one who did the search?

19 A Yes.

20 Q Did you do any search in response to these  
21 document requests?

22 A I does, but I have limited time. Just work



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1 and sales and clean up job site and then provide  
2 materials. So this all kind of thing I have to do.  
3 Even though -- if you are the six guys lawyer and if  
4 you -- if you killing me, whatever, and I cannot  
5 prepare right now. No time and tired. And just --  
6 you know?

7 MR. HUH: Just -- you had your wife search  
8 for it, correct?

9 THE WITNESS: Yes.

10 MR. HUH: Just answer then. I mean --

11 BY MR. MARRITZ:

12 Q One more question about the carbon copies.  
13 As you sit here, do you think that there are more  
14 carbon copies related to these six workers that you  
15 have not given us yet?

16 A We give to you all, but I have to find a  
17 little bit, if I have some.

18 Q Okay. So you're not sure?

19 A Yeah, I'm not sure.

20 Q Okay. Let's see. If a worker -- if a  
21 construction worker on a Sweet Home project is not  
22 -- doesn't show up for work, do they have to notify